

MINUTES
REGULAR MEETING OF THE VALDOSTA CITY COUNCIL
5:30 P.M., THURSDAY, NOVEMBER 20, 2008
COUNCIL CHAMBERS, CITY HALL

OPENING CEREMONIES

Mayor Pro Tem Willie Head, Jr. called the regular meeting of the Valdosta City Council to order at 5:30 p.m. Council members present were: Alvin Payton, Jr., John Eunice, Robert Yost, and James Wright. Councilman Sonny Vickers arrived at 5:50 p.m. and Councilman Tim Carroll was absent. Mayor John Fretti was enroute to Valdosta after attending an awards ceremony in Atlanta. The invocation was given by Councilman James Wright, followed by the Pledge of Allegiance to the American Flag.

APPROVAL OF MINUTES

The minutes of the November 6, 2008 Regular Meeting were approved by unanimous consent (4-0) of the Council.

CITIZENS TO BE HEARD

S. W. Frenchie DePasteur, 3870 Ben Hill Road, Dasher, thanked Mayor John Fretti, Larry Hanson, City Manager, and John Whitehead, III, Deputy Manager of Operations, for their efforts in helping the residents and property owners in Remerton with the water situation. They are now facing noise and alcohol problems that must be addressed but if they would look for points of agreement rather than points of contention then they would all be far better off.

ORDINANCES AND RESOLUTIONS

LAND DEVELOPMENT REGULATIONS (LDR) ORDINANCE (FIRST READING)

Consideration of the Land Development Regulations (LDR) Ordinance including the official zoning ordinance and map, the policies and procedures governing the calling and conducting of zoning public hearings, and the zoning standards which govern the exercise of zoning power of the City of Valdosta (First Reading). Mayor/Council postponed the First Reading of the Ordinance at the October 9, 2008 regular meeting until the last Council meeting in November and the Second Reading to occur the first Council meeting in December.

Anne-Marie Wolff, Planning and Zoning Administrator, stated that the Land Development Regulation Ordinance was discussed at the October 9, 2008 Council meeting and there were a number of issues and concerns voiced at the meeting. The LDR Ordinance was postponed and since that time, she and Mike Martin, Director of Community Development, met with the Home Builders Association to address their concerns. The Home Builders Association has submitted a letter stating that their concerns have now been addressed. There were also some misunderstandings in certain areas of the LDR and the verbiage has been clarified. Those changes are noted on an Erratta sheet which was submitted to the Mayor and Council. Anne-Marie Wolff also met with the developers to discuss the maximum density for apartments within the community. They would like for the density to be greater or they would ask for a variance to the density because the more units that are built on land then the more economically viable the project will be. The density for the City of Valdosta is currently 12 units per acre. Research was conducted in various cities and counties and the density for Valdosta is very low when compared to Albany, Macon, Jacksonville, Brunswick, Chatham County, Leon County, Florida, and Blythewood, South Carolina which are all greater than 12 units per acre. After discussions with the consultants, Staff recommended that the density be increased to 18. There are two large complexes on Park Avenue near Forrest Street and on Northside Drive which have densities at 20, 22, and 24 units because they were constructed prior to the 12 unit per acre requirement. There are also some additional regulations in the Ordinance regarding the spacing and length of apartment buildings so as a compromise Staff considered raising the density. Staff will also be looking at some requirements for apartments for usable open spaces, parks, and walking trails which will help to promote a community atmosphere within the complex. Councilman Payton inquired as to whether the number of bedrooms would be broken down as done in the City of Brunswick. Anne-Marie Wolff stated that if you have an acre and the

density is amended to 18 units then there could possibly be 18 one bedroom units or 18 three bedroom units which would be a big difference in population. Councilman Wright inquired about maintaining the proper parking if they increase the density. Anne-Marie Wolff stated that if the number of units is increased then the parking standards increase as well because if you have a higher density then you would have smaller units or multiple floors. There would also be limitations on the width of the apartment buildings and how close it can be to another building which would force developers to start building up and use the limited land in a more efficient way. Councilman Wright inquired as to whether the 18 units would be a matter of right or whether the developer would have to come before Council or Zoning. Anne-Marie Wolff stated that the 18 units per acre would be standard within that zoning district so wherever that district exists they would be able to do that as a matter of right. They would have to go through plan review so if they cannot put that density on there because of parking, landscaping, and space requirements, they would have to decrease the number of units. Councilman Yost inquired as to whether new construction would be required to use underground utilities and redeveloped areas would not. Anne-Marie Wolff stated that they Staff has suggested that underground utilities would be required within the perimeter of all new developments but it would allow overhead utilities to be utilized to get to the new development. There will be new overhead utilities going in by default but the major developments would be underground. Another option would be to require underground utilities across the board. If the City's goal is to see existing utility wires go underground for aesthetic and maintenance reasons, then having an across the board requirement is a way to get rid of the existing overhead utilities. Councilman Yost inquired as to what the power companies thought about this issue. Anne-Marie Wolff stated that the power companies were concerned about economics and the cost associated with placing utilities underground. There is a mixture of opinions about the maintenance for underground utilities and some believe that there may be limitations if there is an outage or problem. If they have to dig to find a problem area then that would be an added cost. It would be much easier to add an overhead line than to place a utility underground.

Councilman Yost inquired about parking vehicles in residential districts. Anne-Marie Wolff stated that all of the residential properties north of Baytree Road and up to Jerry Jones, over to Country Club Road, and all of Old Wood Valley and New Wood Valley to the end of Baytree, as well as properties to the east near Patterson Street and Williams Street would have to adhere to the guidelines which are the same as before; however, they have now been limited to a certain area and excluded in other areas. Guidelines have been placed in those areas where there is a predominant number of Valdosta State University students living in well established neighborhoods and where the lot size could support multiple vehicles parking in the yard. Councilman Yost inquired about the change in the district which, now goes to Oak Street instead of stopping at Azalea Drive. Anne-Marie Wolff stated that there are other properties east of Azalea Drive that could potentially be redeveloped over time so Valdosta State University became the stopping point. An additional overlay district was created but it is only limited to parking. Councilman Head inquired about vehicles parked at a house on a paved area. Anne-Marie Wolff stated that it would be an improved surface and that could be either paved, gravel, or something other than grass or dirt in order to avoid runoff. There are limitations on how big that area could be but it could have only a maximum of four vehicles parked in that area. Other vehicles would need to be parked in the garage or on the side. The commercial overlay districts already have limitations and some zoning districts will now have parking required in the rear rather than the front. Councilman Payton inquired about parking of Recreation Vehicles in the yard and on the road. Anne-Marie Wolff stated that requirement did not change and they can only be parked on the side or in the rear of the property. Councilman Vickers inquired about tractor trailer cabs parking in the front yard of a residence. Anne-Marie Wolff stated that they could not park those in a yard because it is over a certain tonnage.

Mayor Pro Tem Head commended Anne-Marie Wolff and her Staff for the work that has been done on the LDR. This was the First Reading of the Ordinance with the Second Reading and possible adoption to occur on December 11, 2008.

ORDINANCE NO. 2008-46, AN ORDINANCE FOR RIGHT OF WAY PERMIT

Consideration of a Right of Way Permit Ordinance. (Second Reading)

Larry Hanson, City Manager, stated that with the State franchises, the City will need to pass a separate Right of Way Ordinance so that we can regulate the use of our rights of way by these private utilities. This is a

model ordinance that has been drafted by the Georgia Municipal Association and all cities have been asked to adopt this so that those companies such as Mediacom and AT&T who already have opted for the State franchise would have to continue to follow our local guidelines for use of the right of way.

A **MOTION** by Councilman Eunice, seconded by Councilman Payton, was unanimously adopted (5-0) to enact Ordinance No. 2008-46, for a Right of Way Permit, the complete text of which will be found in Ordinance book XI.

Mayor Fretti arrived at 6:06 p.m.

BIDS, CONTRACTS, AGREEMENTS, AND EXPENDITURES

Consideration of bids for recycling containers for the Public Works Department (Bid No. 20-08-09).

Greg Brown, Purchasing Agent, stated that the recycling containers contract will expire on December 31, 2008. The purpose of this contract is to obtain a better price through volume buying from a single source of supply over a specified period of time. This is a one-year contract with renewal options. Sealed bids were received on November 11, 2008 with the low bid submitted by Rehrig Pacific in the amount of \$7.85 per container. The 2007 contract price was \$6.85. Greg Brown recommended that Council approve the low bid of Rehrig Pacific in the amount of \$7.85 for each container and allow the Public Works Department to proceed with the contract.

A **MOTION** by Councilman Head, seconded by Councilman Wright, was unanimously adopted (6-0) to approve the low bid of Rehrig Pacific in the amount of \$7.85 for each container and allow the Public Works Department to proceed with the contract for recycling containers.

Consideration of bids for a hazardous duty robot for the Police Department (Bid No. 21-08-09).

Greg Brown, Purchasing Agent, stated that the Police Department has funds available to purchase a hazardous duty robot utilizing GEMA funds allocated to the Department. This robot is capable of carrying out commands through the use of a remote control and can be installed with a camera, shotgun, water cannon, and an articulating arm to pick up objects. This in turn can potentially take the Police Officer out of danger while taking care of a problem. The desired robot is manufactured and sold exclusively by Northrop Grumman which is located in Tennessee. The bid price of \$170,481 is the same price that is offered to the GBI and all other enforcement agencies throughout the country. Greg Brown recommended that Council approve the sole source purchase from Northrop Grumman in the amount of \$170,481 and allow the Police Department to proceed with the purchase. Councilman Head inquired as to whether a Request for Proposal is done for a sole source and whether the sole source is identified. Greg Brown stated that this particular piece of equipment has things on it that other companies cannot provide such as the tracking that makes it more maneuverable. If a Request for Proposal was prepared with the scope of work then Northrop Grumman would be the only company who would meet the specs. Greg Brown stated that the other companies do not make robots with this type of particular tracking that the Police Department wants. Councilman Head stated that the items the City buys should be provided to the public and possibly placed on the web site.

A **MOTION** by Councilman Yost, seconded by Councilman Wright, was unanimously adopted (6-0) to approve the sole source purchase from Northrop Grumman in the amount of \$170,481 and allow the Police Department to proceed with the purchase of a hazardous duty robot.

Consideration of bids for resurfacing Leone Avenue from Forrest Street to Melrose Drive.

Jim Martinez, Engineering Project Manager, stated that Leone Avenue from Forrest Street to Melrose Drive was paved in the early 1960's. The base material is a bituminous sand/clay mixture. In the 1980's, the street was resurfaced with a very thin layer of sand asphalt. Last year the street started to deteriorate at a very fast rate and large potholes have formed. The street is in serious need of repair and was included on the list of streets submitted to the Georgia Department of Transportation (DOT) for consideration under the Local Assistance Road

Program several years ago. Staff has decided to bid this street out as a standalone project instead of including it in the upcoming SPLOST resurfacing project bid in January due to its condition. In order to strengthen the road, a double layer of surface treatment is to be applied along with the normal asphalt resurfacing layer. The low bid was submitted by Reames and Son in the amount of \$57,613. The Engineering estimate was \$70,000. Jim Martinez recommended that Council approve the low bid was submitted by Reames and Son in the amount of \$57,613 plus a 10% contingency to handle any unforeseen circumstances.

A MOTION by Councilman Head, seconded by Councilman Vickers, was unanimously adopted (6-0) to approve the low bid was submitted by Reames and Son in the amount of \$57,613 plus a 10% contingency to handle any unforeseen circumstances for resurfacing Leone Avenue from Forrest Street to Melrose Drive.

Consideration of bids for a sidewalk on Park Avenue from Lee Street to Forrest Street.

Jim Martinez, Engineering Project Manager, stated that a sidewalk was identified as a need several years ago on the north side of Park Avenue from Lee Street to Forrest Street. Due to Georgia Department of Transportation (DOT) requirements at the time, the sidewalk project would have required a significant amount of shoulder work which made the project very expensive. Park Avenue from Ashley Street to Perimeter Road (along with several other streets) was taken off the State route system several years ago when the DOT took ownership of Perimeter Road. We are now able to install the sidewalk on the existing shoulder leaving a two foot space between the curb and sidewalk for safety purposes on this 45 mph five-lane street. The low bid was submitted by Southern Allied in the amount of \$39,392.50. The Engineering estimate for the work based on historical unit prices was \$85,000. Jim Martinez recommended that Council approve the low bid submitted by Southern Allied in the amount of \$39,392.50 plus a 10% contingency.

A MOTION by Councilman Payton, seconded by Councilman Wright, was unanimously adopted (6-0) to approve the low bid submitted by Southern Allied in the amount of \$39,392.50 plus a 10% contingency for a sidewalk on Park Avenue from Lee Street to Forrest Street.

Consideration of agreements with the Georgia Department of Transportation for a box culvert replacement on Park Avenue and right of way certification for installation of a sidewalk on Gordon Street from Hightower to Lankford Drive.

Jim Martinez, Engineering Project Manager, stated that the City was successful in obtaining City contracts from the Georgia Department of Transportation (DOT) to offset the cost to construct a new reinforced concrete box culvert on Park Avenue at One-Mile Branch and a sidewalk on Gordon Street from Hightower Street to Lankford Drive earlier this year. The City originally had three \$75,000 commitments from the DOT to assist with the installation of box culverts on Park Avenue and Ashley Street at One-Mile Branch and on Patterson Street at Two-Mile Branch. Due to the fact Park Avenue is no longer a State route, Staff felt it would be best to move forward with that drainage project due to permitting issues. The single contract is not to exceed \$225,000. The installation of a sidewalk on the south side of Gordon Street from Hightower Street to Lankford Drive will link existing sections of sidewalk and improve safety for all pedestrians but specifically children who walk to and from the new S. L. Mason Elementary School. The DOT has committed \$21,750 on this project. The Engineering Department will develop a plan for the sidewalk to be installed in conjunction with the necessary widening on the south side of Gordon Street to accommodate the future three lane section plus bike lanes. Jim Martinez recommended that Council approve the agreements with the Georgia Department of Transportation for a box culvert replacement on Park Avenue and right of way certification for installation of a sidewalk on Gordon Street from Hightower Street to Lankford Drive and authorize the Mayor to execute the right of way agreements for both projects.

A MOTION by Councilman Head, seconded by Councilman Payton, was unanimously adopted (6-0) to approve the agreements with the Georgia Department of Transportation for a box culvert replacement on Park Avenue and right of way certification for installation of a sidewalk on Gordon Street from Hightower to Lankford Drive and authorize the Mayor to execute the right of way agreements for both projects.

Consideration of an amendment to the water well contract with Camp Dresser & McKee Inc.

Henry Hicks, Utilities Director, stated that the City of Valdosta well field system consists of eight wells each rated at 2.16 million gallons per day (mgd). The existing well field is permitted by the Georgia Department of Natural Resources, Environmental Protection Division, for producing up to 15.0 mgd. The City recently completed the upgrade of the water treatment plant and has increased its overall treatment capacity to 22.5 mgd. In order to increase water production at the water plant in the future, additional wells will be necessary. One concern with adding additional wells at the existing well field is that the increased withdrawal from new wells would probably cause a lower quality of water to be drawn into the existing well field system. As a result, the City has purchased additional land located on the east side of Inner Perimeter Road south of Lakeland Highway as another well field location. On May 31, 2002 the City of Valdosta entered into an agreement with Camp Dresser & McKee Inc (CDM). This contract was modified on March 24, 2003 and on November 11, 2007. In accordance with the contract and the addendum, the City of Valdosta could authorize additional work to be performed by CDM. CDM has submitted Amendment No. 2 to the contract for installation of a test well at the newly acquired well field site. Once an appropriate well field location is determined, additional uses for the remaining land at this site can be made. The Proposal includes provisions for planning and design of the test well, project management during installation of the test well (12-inch diameter bore to the depth of 205 feet) as well as development of the well, oversight over drawdown test, collection of water quality samples, submittal of the Well Report, and evaluation of potential treatment processes based on water quality results. The fee associated with this work is \$186,289. Henry Hicks recommended that Council approve the Amendment to the water well contract with Camp Dresser & McKee Inc. in the amount of \$186,289.

A **MOTION** by Councilman Payton, seconded by Councilman Yost, was unanimously adopted (6-0) to approve amendment to the water well contract with Camp Dresser & McKee Inc. in the amount of \$186,289.

CITY MANAGER'S REPORT

Larry Hanson, City Manager, stated that the annual lighting of the Christmas tree by the Mayor and his family will be held on November 26, 2008 at 2:00 p.m. at City Hall. This year the Downtown merchants have been invited to attend and refreshments will be served.

The Parks and Recreation Arbor crew has been hard at work beautifying the Downtown area for the holiday season with some additional landscaping, tree trimming, and replacing some dead and diseased trees.

The Georgia Municipal Association Mayor's Motorcade will be held on December 11, 2008 and they are currently collecting gifts to take to the needy residents at the State Hospital in Thomasville.

John Whitehead, III, Deputy City Manager of Operations, has been contacted by Government Technology Magazine and they would like to do a feature story on the City's GIS Mosquito Surveillance Program.

Mayor Fretti attended a ceremony for the Magnolia Awards in Atlanta and though the City of Valdosta did not receive the award, we were one of three finalists and received special recognition for the City's efforts in housing and economic development in our community. Mayor Fretti also spoke at the World Chamber of Commerce along with the former Mayor of Atlanta and former Ambassador Andrew Young.

COUNCIL COMMENTS

Councilman Head inquired about the status of a meeting with the local financial institutions regarding mortgage foreclosures. Mara Register, Assistant to the City Manager, stated that Staff has been in contact with the National Reinvestment Center and asked them to visit Valdosta to host a fair with our local financial institutions after the first of the year. Councilman Vickers stated that Mike Hill has noted in his articles that there is not a problem with real estate. Mara Register stated that she was concerned with the mortgage crisis in our community and even though 7.1% of the mortgages in this County are classified as subprime there are people in need of assistance. We now have an opportunity to take advantage of some resources at the local, State, and National levels.

Councilman Yost inquired as to when Council will go paperless, what is being done about the monitors, and how much below is the City in LOST funding. Larry Hanson stated that the State pays the City of Valdosta two months in arrears and funds are generally transferred on the 22nd of each month. July collections were 11% below last July and August collections were 11% above last July. We are down for the year based on the first two months and if this is a trend then we would end the year approximately \$100,000 less than what was budgeted in Local Option Sales Tax. With SPLOST collections it is difficult to tell because we are in month 8 of a 72-month tax and could possibly end up with approximately \$3-4 million less than what was budgeted if these trends continue. Councilman Yost inquired as to whether there would be cuts in projects or not be funded. Larry Hanson stated that we are spending a lot of SPLOST money but when we are spending the monies that we are collecting it is not earning interest. There are several things that are put at the back end that could be rolled into a future SPLOST or postponed if necessary. We have tried to be strategic in phasing the projects over that six years and if there is a problem then there are some things that we could hold back. Regarding the paperless agenda, it has been narrowed down to two vendors. The goal was to be paperless 18 months from the last Mayor and Council Retreat so that gives us to the middle of next year to be paperless. Steve Carter, IT Manager, is very close to making a decision. Larry Hanson stated that there is a light issue in Council Chambers which has affected the monitors and there would need to be extensive work in reconstructing the table. This has turned into a major project and the cost estimate was a little higher than what was expected so some other options will be reviewed.

Councilman Payton stated that he attended that National League of Cities Conference last week in Orlando, Florida and it was a great conference. He attended a session that dealt with high school dropout rates in larger cities and as Valdosta continues to progress, the City may want to work with the Board of Education to consider dropout rates more in the future. Councilman Head stated that another issue discussed at the National League of Cities Conference was the homeless situation. There are a number of homeless people and veterans around the country and in Valdosta and as we move forward, we need to determine the magnitude of the problem and work with organizations in order to resolve the situation and help them achieve a better quality of life. Mayor Fretti stated that the City completed an actual inventory of camps and known areas where the homeless go in 2007. Mara Register, Assistant to the City Manager, stated that the survey was conducted as required by Federal law and the Department of Housing and Urban Development (HUD). It has to be done on a certain day at a certain time in January. The Neighborhood Development Staff is currently working with the Salvation Army to secure funding and assistance in working with the State and Federal agencies to expand the men's shelter. They also do referrals to behavioral health services. Mayor Fretti inquired as to whether HUD will require another count for Valdosta within the next 18 months. Mara Register stated that the Homeless Coalition is currently looking at a survey and next year may be a better gauge for counting the number of homeless since a survey was done in 2007.

Mayor Fretti thanked Richard Joyner and Kelley Thomas for their presentation at the Georgia Department of Community Affairs Housing Conference. Valdosta has won three Magnolia Awards in the past and unfortunately, Valdosta was competing against a 126-unit senior center that was very compelling to the judges.

Mayor Fretti stated that he is now certified as Work Force Ready. Valdosta Technical College offers a test that anyone can take and if they do not test well then they can take courses to help them test better in the future. This will help make them Work Ready which is another designation on an application that employers look for. It also allows the State to be assessed and when we have some national or international development then we can look at certain areas and see what our likenesses are.

ADJOURNMENT

Mayor Fretti entertained a motion for adjournment.

A MOTION by Councilman Eunice, seconded by Councilman Payton, was unanimously adopted (6-0) to adjourn the November 20, 2008 meeting of the Valdosta City Council at 7:12 p.m. to meet again in regular session on Thursday, December 11, 2008.